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EXAMINER
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PULLIAM, CHRISTYANN R

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2165

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 09/865,773	Applicant(s) SUDA ET AL.	
	Examiner Christyann Pulliam	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2007 and 23 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/6/2007, 6/29/2007</u> . | 6) <input type="checkbox"/> Other: _____  |

Continuation of Disposition of Claims: Claims pending in the application are 1, 4, 6-10,12-15,18-21, 26-50, 52-57, 59-61, 63-64, 66-67, 69, 72-73,75-79, 93-94, 96-97 and 99-103.

Continuation of Disposition of Claims: Claims rejected are 1, 4, 6-10,12-15,18-21, 26-50, 52-57, 59-61, 63-64, 66-67, 69, 72-73,75-79, 93-94, 96-97 and 99-103.

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submissions filed on June 29, 2007 and supplemental on July 23, 2007 have been entered.

2. Claims 1, 4, 6-10, 12-15, 18-21, 26-50, 52-57, 59-61, 63-64, 66-67, 69, 72-73, 75-79, 93-94, 96-97 and 99-103 are pending.

3. Claims 28-29, 50, 53-55 and 57 are currently amended. Claims 1, 4, 9, 12-15, 18, 26-27, 30-32, 37, 40, 44, 47-49, 52, 56, 59-61, 63-64, 66-67, 69, 72, 75, 77-79, 93-94, 96-97, 99-103 are previously presented. Claims 6-8, 10, 19-21, 33-36, 38-39, 41-43, 45-46, 73 and 76 are original. Claims 2-3, 5, 11, 16-17, 22-25, 51, 58, 62, 65, 68, 70-71, 74, 80-92, 95 and 98 are canceled.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 49 recites the limitation "said determination means". There is insufficient antecedent basis for this limitation in the claim.

***Double Patenting***

6. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

7. Claims 1, 4, 6-10, 12-15, 18-21, 26-50, 52-57, 59-61, 63-64, 66-67, 69, 72-73, 75-79, 93-94, 96-97 and 99-103 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-46 of copending Application No. 09/938,866. Although the conflicting claims are not identical, they are not patentably distinct from each other because they claim all the same elements with the same functionality.

The independent claims in present application, Claims 1, 59-60 and 93, require a data acquisition means for acquiring web page data;.... indexing means for assigning a predetermined index to web page data and...saving means for saving the web page data. Similarly, copending Application No. 09/938,866, independent Claims 1 and 24 contain a means for acquiring .... initiating saving; means for indexing ..... predetermined index to data ....means for data saving acquired data ....predetermined

storage unit. Claim 4 also contains the keyword extraction presented in the present application.

Both applications also claim priority to the same three Japanese applications.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

### ***Claim Rejections - 35 USC § 101***

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claims 1, 4, 6-10, 12-14, 18-21, 26-50, 52-57, 78, 96 and 100 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The system in Claim 1 is software, which is functional descriptive material and therefore non-statutory. Software must be claimed with hardware or a proper computer readable medium. Nothing physical is contained in the body of the claims. The claims do not include any requirement of hardware. The body of the claims only discusses the functionality, which can be implement in software alone. All the "means for" can be software. Furthermore, Claims 50, 52 and 53 mention "a server apparatus" and the like. It is unclear if this is a piece of hardware server or just a software application acting as a server. Without any proper physical components required in the claims, Claims 1, 4, 6-10, 12-14, 18-21, 26-50, 52-57, 78, 96 and 100 are directed to non-statutory material.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1, 4, 6-8, 13-15, 18-21, 26-39, 59-61, 63-64, 66-67, 69-71, 78-79, 93-94, 96-97, 99-103 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrera et al., U.S. Patent No. 6,567,800 (hereinafter Barrera) and in view of Cole et al., U.S. Patent no. 5,933,827 (hereinafter Cole).

As for Claims 1, 59-60 and 93, Barrera teaches:

data acquisition means for acquiring web page data browsed by a browser client (See e.g. Barrera – col. 4, line 26-30, Vspider to return information related to web page particularly textual content, page size, data and other related web page information that corresponds to acquiring web page data);

keyword extraction means for extracting a keyword from a content of the acquired web page data (See e.g. Barrera –col. 4, line 26-30, line 56-62, keywords, extracting textual content, from the web page or website particularly content is correlated with a category);

indexing means for assigning a plurality of indices that include a first index unique to the acquired web page data and a second index comprising the extracted



keyword to the acquired web page data (See e.g. Barrera –col. 5, line 1-4, line 17-19, categories are listed for example search by subject corresponds to indexing information related to keywords from the web page, and dynamic index is stored that including list of web pages or URLs; first index unique to the acquired web page data and a second index corresponds to Barrera's categories and sub-categories because each category is uniquely identifies information and fig 1, element 101);

saving means for saving the acquired web page data in correspondence with the assigned indices (See e.g. Barrera Figure 5) in a predetermined database, the saved web page data being sufficient to regenerate at least a portion o a previously browed web page without accessing to the original source (See e.g. Barrera – col. 5, line 25-26, one 38-42, metatags in the web pages provide specific category or categories related to website identifiers sufficient to display content from the file or site).

Barrera does not specifically teach, “newly browses the web page data”, although Barrera does teach web page data acquiring as detailed in col. 4, line 26-30. However, Cole teaches newly browses the web page data (See e.g. Cole – col. 6, line 36-40, line 46-48, line 61-67, col. 7, line 1-2, fig 3, fig 8, newly browses the web page data corresponds to categories containing new entries as detailed in fig 3,8 ).

Barrera and Cole are from the analogous art of searching and arranging web pages (See Barrera: Abstract, fig 6; Cole: Abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made having the teachings of Barrera and Cole to have combined Barrera and Cole. The motivation to combine

Barrera and Cole to add new web pages of Cole to the system of Barrera is to allow users of Barrera to incorporate profile building function that specifically includes hot links of related category of each of the new web page data, further indicates the source of the request and it is also noted that client always makes a request for "what is new" that allows uses to fetch all the new data entries for those categories from the database as suggested by Cole (See e.g. Cole – col. 6, line 23-40 and fig 3) bringing the advantages of users can order a list of recently added web pages of interest (See e.g. Cole –col. 2, line 50-55). Both Barrera and Cole specifically teach categories and sub-categories (See e.g. Barrera: figure 1 and col. 1, line 46-48; Cole: col. 3, line 54-57) and both specifically teach search engines particularly Yahoo (See e.g. Barrera: figure 1; Cole: col. 3, line 55-56).

As for Claims 4 and 64, Barrera as modified by Cole teaches parent Claims 1 and 60. Barrera also teaches:

sorting means for sorting indices of the data in the database (See e.g. Barrera col. 2, line 66-67, col. 3, line 1 and categorizing most relevant information as detailed in col. 3, line 1);

display means for displaying a result of the sorting by said sorting means (See e.g. Barrera - figure 8 and col. 5, line 4-5).

As for Claims 6 and 66, Barrera as modified by Cole teaches parent Claims 1, 4, 60 and 64. Barrera also teaches:

selecting means for selecting an index from the indices displayed on said display means (See e.g. Barrera figures 8-9);

retrieval means for retrieving data corresponding to the index selected by said selecting means from the database (See e.g. Barrera -col. 5, line 5-8 retrieving content or data within the specific category).

As for Claims 7 and 67, Barrera as modified by Cole teaches parent Claims 1, 4, 60 and 64. Barrera also teaches:

deleting means for deleting at least one index from the indices displayed on said display means (See e.g. Barrera col. 5, line 25-26);

removal means for removing data corresponding to the index deleted by said deleting means from the database (See e.g. Barrera – col. 5, line 25-26, “dynamic index” which is a real-time indexing that including of websites in the category and subcategories).

As for Claim 8, Barrera as modified by Cole teaches parent Claims 1, 4, 60 and 64. Barrera also teaches wherein at least one of the data has a plurality of values for an index, and said sorting means places the plurality of values at positions corresponding to respective values (See e.g. Barrera col. 2, line 27-30, fig 4).

As for Claim 13, Barrera as modified by Cole teaches parent Claim 1. Barrera also teaches indexing means acquires a URL of the data from the browser as the second index (See e.g. Barrera col. 5, line 17-19).

As for Claim 14, Barrera as modified by Cole teaches parent Claim 1. Barrera also teaches indexing means acquires a title embedded in the data from the browser as the second index (See e.g. Barrera col. 5, line 19-25).

As for Claim 78, Barrera as modified by Cole teaches parent Claims 1 and 14. Barrera also teaches indexing means displays the extracted keyword or the title acquired from the browser (See e.g. Barrera -fig 9, col. 5, line 6-11).

As for Claim 18, Barrera as modified by Cole teaches parent Claim 1. Barrera also teaches word assigning means for assigning a word specified by a user as a further index to the data to be saved by said saving means (See e.g. Barrera col. 2, line 26-29).

As for Claims 19-20, Barrera as modified by Cole teaches parent Claim 1. Barrera also teaches wherein if an index assigned to the data to be saved has been assigned to other data, said saving means saves the data as a new data or updates the other data according to a setting by the user (See e.g. Barrera col. 5, line 17-19).

As for Claim 21, Barrera as modified by Cole teaches parent Claim 1. Barrera also teaches:

comparing means for comparing the effective period with a current time at a predetermined timing (See e.g. Barrera col. 4, line 25-28);

removal means for removing data in correspondence with the effective period before the current time based upon the result of a comparison by said comparing means (See e.g. Barrera col. 5, line 11-16).

As for Claim 26, Barrera as modified by Cole teaches parent Claim 1. Barrera also teaches saving means saves the browsed data in a first save mode and saves a URL for the browsed data in place of the browsed data in a second save mode (See e.g. Barrera col. 3, line 58-62).

As for Claim 27, Barrera as modified by Cole teaches parent Claim 1. Barrera also teaches further comprising setting means for setting whether or not data linked to the browsed data is to be saved with the browsed data (See e.g. Barrera col. 4, line 13-15).

As for Claim 28, Barrera as modified by Cole teaches parent Claim 1. Barrera also teaches further comprising said setting means for setting to save all the browsed data without any instruction by the user for each of the browsed data (See e.g. Barrera col. 4, line 4-6).

As for Claim 29, Barrera as modified by Cole teaches parent Claims 1 and 28. Barrera also teaches wherein said saving means saves the browser client data when the browsing is operated to move to another URL (See e.g. Barrera - col. 4, line 21-22).

As for Claim 30, Barrera as modified by Cole teaches parent Claim 1. Barrera also teaches setting means for setting not to save the browsed data in a URL specified by the user (See e.g. Barrera -col. 4, line 17-20).

As for Claim 31, Barrera as modified by Cole teaches parent Claim 1. Barrera also teaches index extracting means for extracting as an index a specific data from a data train constituting address of the browsed data in the network on the basis of a predetermined rule (See e.g. Barrera -col. 4, line 59-62), specific data corresponds to selected category.

As for Claim 32, Barrera as modified by Cole teaches parent Claims 1 and 31. Barrera also teaches specific data is a domain name (See e.g. Barrera -col. 1, line 39-40, col. 2, line 25-26, col. 4, line 21-22), domain names are used in URLs to identify particular Web pages like in the URL as detailed in col. 1, line 39-40).

As for Claim 33, Barrera as modified by Cole teaches parent Claims 1 and 31-32. Barrera also teaches wherein the predetermined rule is a rule for eliminating a

parameter, a protocol, an obvious address, and page data from the data train, and extracting a domain name from the rest of the data with referring to a knowledge base of domain names (See e.g. Barrera -col. 1, line 39-48).

As for Claim 34, Barrera as modified by Cole teaches parent Claims 1 and 31. Barrera also teaches wherein the specific data is a name of organization (See e.g. Barrera -col. 2, line 25-26).

As for Claim 35, Barrera as modified by Cole teaches parent Claims 1 and 34. Barrera also teaches wherein the predetermined rule is a rule for eliminating a parameter, a protocol, an obvious address, and page data from the data train, and extracting a domain name from the rest of the data with referring to a knowledge base of domain names (See e.g. Barrera -col. 1, line 39-48).

As for Claim 36, Barrera as modified by Cole teaches parent Claims 1, 31 and 34-35. Barrera also teaches predetermined rule includes a rule for dividing the rest of the data into partial data with a predetermined symbol and determining each of the partial data as an organization name (See e.g. Barrera -col. 2, line 25-32).

As for Claim 37, Barrera as modified by Cole teaches parent Claim 1. Barrera also teaches sending the acquired web page data or a specific part thereof to a destination (See e.g. Barrera -fig 5, col. 3, line 52-54).

As for Claim 38, Barrera as modified by Cole teaches parent Claims 1 and 37. Barrera also teaches specific part is a URL of the saved data (See e.g. Barrera -col. 4, line 22-23).

As for Claim 39, Barrera as modified by Cole teaches parent Claims 1 and 37. Barrera also teaches specific part is the saved data except for an embedded image (See e.g. Barrera -col. 1, line 16-17).

As for Claim 61, Barrera as modified by Cole teaches parent Claim 60. Barrera also teaches index is dynamically generated (See e.g. Barrera -col. 5, line 17-19).

As for Claim 63, Barrera as modified by Cole teaches parent Claim 60. Barrera also teaches retrieving data from said database based on a user-supplied index (See e.g. Barrera -col. 4, line 59-62, col. 5, line 25-29).

As for Claim 69, Barrera as modified by Cole teaches parent Claim 60. Barrera also teaches sending the acquired data to a predetermined destination (See e.g. Barrera -col. 4, line 10-12, line 62-65).



As for Claim 79, Barrera as modified by Cole teaches parent Claim 1. Barrera also teaches wherein the index includes a time when the data is saved, said system further comprising:

node creation means for creating nodes corresponding to groups classified on the basis of the timing of saving, said node creation means create a hierarchy of nodes (See e.g. Barrera -col. 4, line 56-59) by dividing a group corresponding to a period into a plurality of sub group each corresponding to a shorter period and creating a node corresponding to each of sub group (See e.g. Barrera -col. 5, line 1-4); and

node displaying means for displaying a plurality of nodes created by said node creation means in an order of saving (See e.g. Barrera -col. 5, line 4-6).

As for Claim 15, Barrera as modified by Cole teaches parent Claims 1 and 79. Barrera also teaches each group corresponds to a network session (See e.g. Barrera -col. 1, line 10-14).

As for Claim 94 and 97, Barrera as modified by Cole teaches parent Claims 1 and 60. Barrera also teaches:

receiving means for receiving an index (See e.g. Barrera -col. 4, line 58-59);  
search means for searching the storage unit for web page stored in correspondence with the same index as the received index (See e.g. Barrera -col. 4, line 62-65).

As for Claim 96 and 99, Barrera as modified by Cole teaches parent Claims 1 and 60. Barrera also teaches further comprising save instruction receiving means for receiving save instruction from a user, wherein said indexing means assigns the index to the web page data and said saving means saves the web page data if the save instruction is received (See e.g. Barrera -col. 5, line 17-19).

As for Claim 100-103, Barrera as modified by Cole teaches parent Claims 1, 59, 60 and 93. Barrera also teaches generating means for generating the first index (See e.g. Barrera - fig 1, col. 1, line 49-56) which is other than data extracted from the acquired web page (See e.g. Barrera -col. 4, line 57-62).

12. Claims 40-50, 52-57 and 75-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrera as modified above by Cole, and further in view of Sidana, U.S. Patent No. 6,081,829 (hereinafter Sidana).

As for Claims 40 and 75, Barrera as modified above by Cole teaches parent Claims 1 and 60. Barrera also teaches website content is retrieved through a network for example as detailed in fig 1-3. Barrera does not specifically teach editing the browsed data. However, Sidana teaches editing the browsed data (See e.g. Sidana – col. 6, line 36-44, fig 5).

Barrera and Sidana are from the analogous art of searching and displaying web pages. It would have been obvious to one of ordinary skill in the art at the time the invention was made having the teachings of Barrera and Sidana to have combined Barrera and Sidana. (See e.g. Barrera: col. 4, line 56-62; Cole: Abstract, fig 4a-b, Sidana: col. 1, lines 58-62 and Figure 7). The motivation to combine Barrera and Sidana is to allow for editing and modification of documents. Sidana allows users to search information stored on a network, particularly searching websites that use category information of Barrera, and identifying new web pages of interest to a user of Cole. Sidana allows users of Barrera and Cole to modify the document and return the modified document for viewing by the user. More specifically, the user can edit/modify the web documents to write comments or annotations to the original viewable document (See e.g. Sidana Abstract, fig 7, col. 2, line 22-33). Sidana further allows users of Barrera, Cole to store redirected web document information because redirects allowing the user to view both his own annotations and departmental annotations from the original web document (See e.g. Sidana –col. 3, line 10-18), thus bringing the advantages of enable a user browsing the web to store information associated with a web document, without the necessity of modifying HTTP protocols, the browser software and/or the server software.

As for Claims 41 and 76, Barrera as modified by Cole and Sidana teaches parent Claims 1, 40, 60 and 75. Sidana also teaches editing means includes annotation

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means for adding an annotation to the browsed data (See e.g. Sidana –col. 2, line 16-21, fig 7).

As for Claim 42, Barrera as modified by Cole and Sidana teaches parent Claims 1 and 40-41. Sidana also teaches wherein said annotation means adds an annotation in such a manner that the annotation is distinguishable from the browsed data (See e.g. Sidana –col. 4, line 57-67, fig 7-8).

As for Claim 43, Barrera as modified by Cole and Sidana teaches parent Claims 1 and 40. Sidana also teaches wherein said editing means includes changing means for changing a display form of a designated portion in the browsed data (See e.g. Sidana –col. 5, line 58-67, fig 4).

As for Claims 44 and 77, Barrera as modified above by Cole teaches parent Claims 1 and 60. Barrera does not expressly teach extracting a predetermined type of data from the browsed data. However, Sidana teaches:

extraction means for extracting a predetermined type of data from the browsed data (See e.g. Sidana –col. 5, line 40-45);

extracted data saving means for saving the extracted data in the database (See e.g. Sidana –col. 5, line 32-35).

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As for Claim 45, Barrera as modified by Cole and Sidana teaches parent Claims 1 and 44. Sidana also teaches extraction means extracts data in a predetermined column in response to a copying operation of data from a specified portion of the browsed data to the predetermined column (See e.g. Sidana –col. 7, line 1-6, fig 6a), and said extracted data saving means saves the extracted data with an attribute corresponding to the predetermined column (See e.g. Sidana –col. 7, line 7-9, fig 6a-b)

As for Claim 46, Barrera as modified by Cole and Sidana teaches parent Claims 1 and 44. Sidana also teaches predetermined type of data includes at least one of an organization name, a person name, an E-mail address, a telephone number, a Fax number and a keyword appended to the data (See e.g. Sidana –col. 9, line 37-41, line 41-45, col. 10, line 39-40).

As for Claims 47, Barrera as modified above by Cole teaches parent Claim 1. Barrera does not expressly teach wherein if the data requested to be saved includes data from other URL identified in the web page data, said data acquisition means downloads the included data from the other URL. However, Sidana teaches wherein if the data requested to be saved includes data from other URL identified in the web page data, said data acquisition means downloads the included data from the other URL (See e.g. Sidana –col. 7, line 65-67, col. 8, line 1-4).

As for Claim 48, Barrera as modified by Cole and Sidana teaches parent Claims 1 and 47. Sidana also teaches wherein if the data from the other URL is already available in the storage unit, said data acquisition means dispenses with the downloading of the data (See e.g. Sidana –col. 8, line 5-8).

As for Claims 49, Barrera as modified above by Cole teaches parent Claim 1. Barrera does not expressly teach mode selection means. However, Sidana teaches mode selection means for selecting an automatic save mode, and in the automatic save mode, said determination means determines the condition to be satisfied to save the browsed data every time a new web page is browsed (See e.g. Sidana –fig 4, col. 5, line 58-62).

As for Claim 50, Barrera as modified above by Cole teaches parent Claim 1. Barrera does not expressly teach all means equipped in a server apparatus. However, Sidana teaches wherein said data acquisition means, said indexing means, said saving means, and said database are equipped in a server apparatus, (See e.g. Sidana –fig 2, col. 5, line 8-15) and said system further comprising at least one client apparatus connected to said server apparatus, each of said client apparatus transmits a user request to said server apparatus and receives a response to the user request from said server apparatus (See e.g. Sidana –col. 5, line 15-19, fig 2).

As for Claims 52 and 53, Barrera as modified by Cole and Sidana teaches parent Claims 1 and 50. Sidana also teaches:

a local database (See e.g. Sidana –col. 4, line 20-21);

a web information storage device for storing web information acquired from an internet (See e.g. Sidana –col. 4, line 17-19); and

administration means for administering data in either of said database, said local database, and said web information storage device (See e.g. Sidana –col. 4, line 31-36).

As for Claims 54-57, Barrera as modified above by Cole teaches parent Claim 1. Barrera does not expressly teach all means equipped in a server apparatus. However, Sidana teaches database is equipped in a server apparatus (See e.g. Sidana –fig 1-2), and said data acquisition means, said indexing means, and said saving means are equipped in at least one client apparatus connected to said server apparatus (See e.g. Sidana –col. 10, line 4-12).

13. Claims 9-10, 12, and 72-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrera as modified above by Cole above, and further in view of Walls et al., U.S. Patent No. 5,848,410 (hereinafter Walls).

As for Claims 9-10,12, and 72-73, Barrera as modified by Cole above teaches the parent Claims 1 and 60. Although Barrera, Cole specifically teaches user uses key word search and selects respective web pages and building records of categories of the data from web pages (See e.g. Barrera: col. 4, line 57-65; Cole: col. 4, line 18-23, fig 4(a-b)). Barrera does not specifically teach folder creation means for creating a new folder. However, Walls teaches:

folder creation means for creating a new folder (See e.g. Walls - col. 8, line 50-55);

file name assigning means for assigning a predetermined name to the newly browsed data without intervention by a user (See e.g. Walls - col. 9, line 3-9)

file saving means for saving the newly browsed data in the new folder with the assigned file name (See e.g. Walls - fig 2-3,col. 12, line 13-22).

Barrera and Walls are from the analogous art of searching and displaying web pages. It would have been obvious to one of ordinary skill in the art at the time the invention was made having the teachings of Barrera and Walls to have combined Barrera and Walls. (See e.g. Barrera: col. 4, line 56-62; Cole: Abstract, fig 4a-b, Walls: figures 9-12). The motivation to combine Barrera and Walls is allow users to save browsed data into specific folders and files in a alphabetical order. This improves index-organizing elements that characterize subjects of the information and corresponding files and folders by eliminating the need periodically to repeat a search to ensure that changes in information of the one or more files are considered by the user as suggested by Walls (See e.g. Walls - col. 3, line 60-63).



***Response to Arguments***

14. Applicant's arguments filed July 23, 2007 have been fully considered but they are not persuasive.

15. Applicant traverses double patenting rejections. One double patenting rejection is maintained for broader copending Application No. 09/938,866. As explained above, both claim sets contain the same elements. As further support that the claims contain the same subject matter, both claim priority to the same three Japanese applications.

16. Applicant argues that the rejection based on Barrera and Cole does not consider the claim as a whole and one of ordinary skill would not have been motivated to combine Barrera and Cole. The Examiner disagrees because the combination teaches all the elements of the claims and there is motivation to combine. Barrera users web page data that while collected in a different manner that the claimed invention results in the same data being collected and stored. Spiders work much like a user with a browser except must faster to cover more sites. The data gathered is still the same as required by the claimed invention. Cole adds the browser and recently viewed data elements that are missing from Barrera. One of ordinary skill in the art at the time of the invention would be motivated to combine Barrera and Cole to modify Barrera to focus only on the data viewed by the user. Both contain overlapping elements as described

above. Therefore, their combination leads to predictable results after substituting Cole for the automatic collection of data.

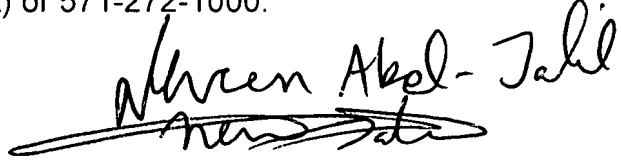
### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christyann Pulliam whose telephone number is 571-270-1007. The examiner can normally be reached on M-F 9 am-6 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CRFP   
September 19, 2007

  
primary Examiner